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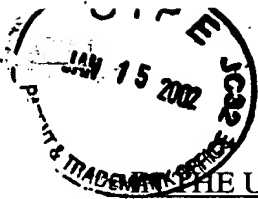
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Attorney Docket No. 4940-1P

THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Vivian Pecus, et al. Examiner : To be Assigned  
Serial No. : 09/960,636 Art Unit : 2133  
Filing Date : September 21, 2001  
Title : FORWARD CACHE MANAGEMENT BETWEEN EDGE  
NODES IN A SATELLITE BASED CONTENT DELIVERY  
SYSTEM

**RECEIVED**

**MAR 18 2002**

**OFFICE OF PETITIONS**

Assistant Commissioner for Patents  
Washington, D.C. 20231

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ORIGINALLY FILED**

**PETITION UNDER 37 CFR 1.47(a)**

Sir:

The Commissioner is hereby petitioned to accept the accompanying Declaration submitted under 37 CFR 1.47(a) on behalf of non-signing inventor Laura Ruffin. As stated in the accompanying Declaration of Frederick Yu, Ms. Ruffin has refused to join in the application by virtue of the fact that: (1) Ms. Ruffin has received, at her last known address, a letter, dated November 16, 2001, enclosing a copy of the above identified patent application and a combined declaration and power of attorney document and requesting her to execute and return the combined declaration and power of attorney document; and (2) Ms. Ruffin has not responded to several attempts to contact her thereafter, including a letter, dated December 14, 2001, and sent to her last known address, stating that if Ms. Ruffin did not respond by December 19, 2001 that it would be assumed that she was refusing to join in the above identified patent application.

01/22/2002 VTRUONG1 00000008 09960636

01 FC:122

130.00 OP

BRMFS1 285976v1

It is respectfully submitted that the last known address of the non-signing inventor,  
Laura Ruffin, is as follows:

**400 Sothel Street West**

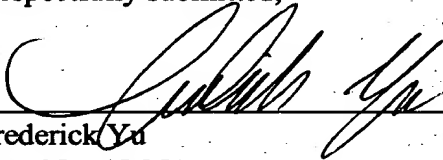
**Kill Devil Hills, NC 27948**

As shown in the attached Declaration, Ms. Ruffin has received and signed for certified mail sent to  
this address.

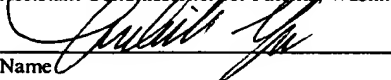
A check in the amount of \$130.00 is included in satisfaction of the requisite fee  
under 37 CFR 1.17(i) for the filing of this Petition and the Declaration of Facts under 37 CFR  
1.47(a). Please charge any additional fees, or credit any overpayment, in connection with the filing  
of this Petition and Declaration to Deposit Account 02/4270.

Respectfully submitted,

Dated: December 28, 2001

  
\_\_\_\_\_  
Frederick Yu  
Reg. No. 45,251  
BROWN RAYSMAN MILLSTEIN FELDER  
& STEINER LLP  
900 Third Avenue  
New York, New York 10022  
(212) 895-2000

I hereby certify that this paper is being deposited this date with the  
U.S. Postal Service as First Class Mail addressed to:  
Assistant Commissioner for Patents, Washington, D.C. 20231

  
\_\_\_\_\_  
Name

12/28/01  
\_\_\_\_\_  
Date



Attorney Docket No. 4940-1P

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Vivian Pecus, et al. Examiner : To be Assigned  
Serial No. : 09/960,636 Art Unit : 2133  
Filing Date : September 21, 2001  
Title : FORWARD CACHE MANAGEMENT BETWEEN EDGE  
NODES IN A SATELLITE BASED CONTENT DELIVERY  
SYSTEM

**RECEIVED**

MAR 18 2002

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**OFFICE OF PETITIONS**

Assistant Commissioner for Patents  
Washington, D.C. 20231

**DECLARATION OF FREDERICK YU AND STATEMENT OF  
FACTS IN SUPPORT OF FILING ON BEHALF OF NON-SIGNING INVENTOR  
UNDER 37 CFR 1.47**

Frederick Yu, being duly warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent resulting therefrom, declares that:

1. I am a patent attorney at the law firm of Brown Raysman Millstein Felder & Steiner LLP, counsel for PanAmSat Corporation ("PanAmSat") in the matter of the above captioned application ("the Patent Application") filed September 21, 2001, disclosing and claiming the invention "FORWARD CACHE MANAGEMENT BETWEEN EDGE NODES IN A SATELLITE BASED CONTENT DELIVERY SYSTEM" made by Vivian Pecus and Laura Ruffin. I am familiar with the facts surrounding the preparation and filing of the Application.
2. On information and belief, Ms. Ruffin was employed as a consultant by PanAmSat. By November 16, 2001, Ms. Ruffin's services were no longer being utilized by PanAmSat.

3. On November 16, 2001, I caused to be delivered by first class mail and by certified mail, return receipt requested, a copy of the Patent Application and combined Declaration and Power of Attorney to Ms. Ruffin's last known address requesting that the Declaration and Power of Attorney be executed and returned. A copy of this letter and the certified mail receipt is attached hereto as Exhibit 1.
4. The domestic return receipt was signed in Ms. Ruffin's name on November 27, 2001. A copy of this signed receipt is attached hereto as Exhibit 2.
5. On November 30, 2001, I sent an electronic mail message to Ms. Ruffin at her last known e-mail address of "laura@outer-banks.com". In this electronic mail message, I asked Ms. Ruffin to execute and return to me the combined declaration and power of attorney document I had previously caused to be delivered to her by first class mail and certified mail, return receipt requested. A print out of this electronic mail message is attached hereto as Exhibit 3.
6. On December 12, 2001, at approximately 11:40AM EST, I attempted to call Laura Ruffin at 252-449-4122 to discuss the above identified patent application. An answering machine identified the called number as "449-4122". I left a message stating my name and that I was an attorney representing PanAmSat Corporation in the matter of a patent application and that I wanted to speak with Laura Ruffin regarding this patent application since she had been named as an inventor. I stated that I wanted to speak with her regarding the same matter discussed in my letter to her dated November 16, 2001. I then left my telephone number and asked that Laura Ruffin call me back.
7. On December 14, 2001, I caused to be delivered by first class mail and by certified mail, return receipt requested, to Ms. Ruffin's last known address a second letter. In this


second letter, I stated that I had previously sent to her on November 16, 2001, via first class mail and certified mail return receipt requested, a letter enclosing a copy of the Patent Application and a combined declaration and power of attorney document. I stated that in the November 16, 2001 letter, I had asked her to execute the declaration and power of attorney and return it to me. In the December 14, 2001 letter, I stated that I had received the signed return receipt indicating that she had received the November 16, 2001 letter. I stated that I had tried several other times to contact her, via telephone and e-mail, with regard to the Patent Application. I then requested that she contact me with regard to the Patent Application. I then stated that if she did not respond to me by December 19, 2001 that I would assume that she was refusing to join in the Patent Application. A copy of this letter and the certified mail receipt is attached as Exhibit 4.

8. To this day, I have not received any response from Ms. Ruffin to the November 16, 2001 letter, the November 30, 2001 electronic mail message, the December 12, 2001 telephone message, or the December 14, 2001 letter.

9. The facts set forth in this Declaration are true, and all statements made of my own knowledge are true, and all statements made on information and belief are believed to be true.

Dated: December 28, 2001

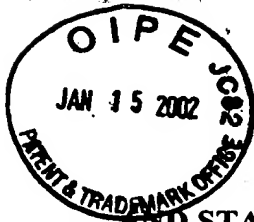
By:

  
Frederick Yu  
Reg. No. 45,251  
BROWN RAYSMAN MILLSTEIN FELDER  
& STEINER LLP  
900 Third Avenue  
New York, New York 10022  
(212) 895-2000

I hereby certify that this paper is being deposited this date with the  
U.S. Postal Service as First Class Mail addressed to:  
Assistant Commissioner for Patents, Washington, D.C. 20231

Name

Date



**EXHIBIT 1  
TO  
DECLARATION OF FREDERICK YU  
AND STATEMENT OF FACTS IN SUPPORT OF FILING  
ON BEHALF OF NON-SIGNING INVENTOR UNDER 37 CFR 1.47**

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Frederick Yu  
212-895-2006  
fyu@brownraysman.com

**PRIVILEGED AND CONFIDENTIAL**  
**ATTORNEY CLIENT COMMUNICATION**

November 16, 2001

**RECEIVED**

**MAR 18 2002**

**OFFICE OF PETITIONS**

**VIA FIRST CLASS MAIL &**  
**CERTIFIED MAIL NO. 7099 3400 0009 0975 1898**  
**RETURN RECEIPT REQUESTED**

Ms. Laura Ruffin  
400 Sothel Street West  
Kill Devil Hills, NC 27948

Re: Patent Application for  
FORWARD CACHE MANAGEMENT BETWEEN EDGE NODES IN A  
SATELLITE BASED CONTENT DELIVERY SYSTEM  
Serial No.: 09/960,636  
Filed: September 21, 2001  
Our Ref.: 4940/1P

Dear Ms. Ruffin:

I am a patent attorney representing PanAmSat Corporation ("PanAmSat") in connection with the above identified patent application which relates to PanAmSat's system for delivering multimedia using NOCs, satellites, and edge servers. I am writing to you because you have been identified as an inventor for this patent application.

Enclosed you will find the following:

- a copy of the above identified patent application
- a declaration and power of attorney document
- an assignment document
- a self-addressed, stamped envelope

Ms. Laura Ruffin  
November 16, 2001  
Page 2

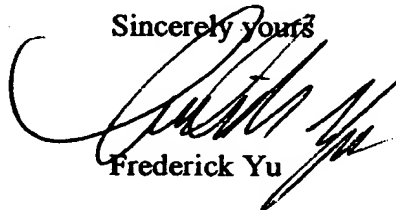
Please review the enclosed copy of the above identified patent application, which we filed with the United States Patent and Trademark Office on September 21, 2001, and let me have your comments, if any, as soon as practicable. Also, please verify that the information entered in the enclosed declaration and power of attorney and assignment documents is correct.

If you have no comments regarding the patent application, please sign and date the enclosed declaration and power of attorney and assignment documents, and send them back to me using the enclosed self-addressed, stamped envelope. Regarding the assignment document, if you have access to a notary public, please have the assignment document notarized.

It may be necessary, from time to time, for me to communicate with you in the future regarding this patent application. For this purpose, please provide me with telephone numbers, fax numbers, and e-mail addresses at which I can reach you.

Thank you very much for your help and time in this matter. If you have comments regarding the patent application or any questions regarding any of the above, please feel free to contact me by telephone at 212-895-2006 or by e-mail at [fyu@brownraysman.com](mailto:fyu@brownraysman.com). I look forward to hearing from you.

Sincerely yours

A handwritten signature in black ink, appearing to read 'Frederick Yu', is written over the typed name.

Frederick Yu

Enclosures

FY:lm

U.S. Postal Service

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Fred Yu 4840/P

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Total Postage & Fees

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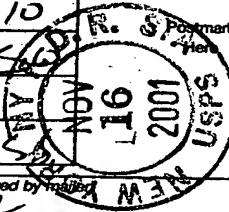
Name (Please Print Clearly) (to be completed by addressee)

Laura Hutton

Street, Apt. No., or PO Box No.

City, State, ZIP+4

400 Somer Street West  
Kitt Nevil Hills, NC 27448



7099 3400 0009 0975 1898



Attorney Docket No. 4940-1P

**EXHIBIT 2  
TO  
DECLARATION OF FREDERICK YU  
AND STATEMENT OF FACTS IN SUPPORT OF FILING  
ON BEHALF OF NON-SIGNING INVENTOR UNDER 37 CFR 1.47**

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<ul style="list-style-type: none"> <li>■ Complete Items 1, 2, and 3. Also complete Item 4 if Restricted Delivery is desired.</li> <li>■ Print your name and address on the reverse so that we can return the card to you.</li> <li>■ Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>		<p>A. Received by (Please Print Clearly) <i>Laura Ruffin</i> B. Date of Delivery <i>11-27-01</i></p> <p>C. Signature <i>[Signature]</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>X <input checked="" type="checkbox"/> Signature <i>[Signature]</i> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>D. Is delivery address different from Item 1? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If YES, enter delivery address below:</p>	
<p>1. Article Addressed to:</p> <p><i>Laura Ruffin</i> <i>400 Samuel Street W.</i> <i>Kill Devil Hill,</i> <i>NC 27418</i></p>		<p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail</p> <p><input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p>	
<p>2. Article Number (Transfer from service label) <i>70 99 3400 0009 0975 1898</i></p>		<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	
PS Form 3811, March 2001		Domestic Return Receipt	
		102595-01-M-1424	

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BROWN RAYSMAN MILLSTEIN  
FELDER & STEINER LLP  
900 THIRD AVENUE  
NEW YORK, NEW YORK 10022

ATT: Frederick Y4 *4940/P*





**EXHIBIT 3  
TO  
DECLARATION OF FREDERICK YU  
AND STATEMENT OF FACTS IN SUPPORT OF FILING  
ON BEHALF OF NON-SIGNING INVENTOR UNDER 37 CFR 1.47**

**COPY OF PAPERS  
ORIGINALLY FILED**

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**Yu, Frederick**

---

**From:** Yu, Frederick  
**Sent:** Friday, November 30, 2001 10:22 AM  
**To:** 'laura@outer-banks.com'  
**Subject:** PanAmSat patent application

Ms. Laura Ruffin:

I am a patent attorney representing PanAmSat Corporation ("PanAmSat") in the matter of several patent applications related to PanAmSat's system for delivering multimedia using NOCs, satellites, and edge servers and I am writing to you to request your assistance in completing the filing of one of these patent applications.

PanAmSat provided me with contact information for you so that I could contact you with regard to this patent application. Please verify that the following information is correct and please let me know if there any other phone numbers, e-mail addresses, or mailing addresses I may use to contact you:

Laura Ruffin  
400 Sothel Street West  
Kill Devil Hills, NC 27948  
252-449-4122  
[laura@outer-banks.com](mailto:laura@outer-banks.com)

You have been named as an inventor for an application, entitled "FORWARD CACHE MANAGEMENT BETWEEN EDGE NODES IN A SATELLITE BASED CONTENT DELIVERY SYSTEM", which was filed with the U.S. Patent and Trademark Office on September 21, 2001 and has been assigned serial no. 09/960,636. I sent a copy of this patent application to you at the Kill Devil Hills, NC address above via first class and certified mail. Please let me know if you have received this or not. I would appreciate it if you could review the application as soon as is practicable and provide me with your comments, if any. If you have no comments, then please sign the declaration/power of attorney and assignment documents included with the application and mail the signed documents back to me in the self-addressed, stamped envelope that was provided.

Thank you very much for your help. If you have any comments or questions regarding any of the above, please feel free to contact me at the e-mail address or phone number below.

-Fred

Frederick Yu  
Brown Raysman Millstein Felder & Steiner LLP  
900 Third Avenue  
New York, New York 10022  
Direct Dial: (212) 895-2006  
Main No. (212) 895-2000  
Fax: (212) 895-2900  
e-mail: [fyu@brownraysman.com](mailto:fyu@brownraysman.com)



Attorney Docket No. 4940-1P

**EXHIBIT 4  
TO  
DECLARATION OF FREDERICK YU  
AND STATEMENT OF FACTS IN SUPPORT OF FILING  
ON BEHALF OF NON-SIGNING INVENTOR UNDER 37 CFR 1.47**

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Frederick Yu  
212-895-2006  
fyu@brownraysman.com

**PRIVILEGED AND CONFIDENTIAL**  
**ATTORNEY CLIENT COMMUNICATION**

December 14, 2001

**VIA FIRST CLASS MAIL &**  
**CERTIFIED MAIL NO. 7099 3400 0009 0975 2062**  
**RETURN RECEIPT REQUESTED**

Ms. Laura Ruffin  
400 Sothel Street West  
Kill Devil Hills, NC 27948

Re: Patent Application for  
FORWARD CACHE MANAGEMENT BETWEEN EDGE NODES IN A  
SATELLITE BASED CONTENT DELIVERY SYSTEM  
Serial No.: 09/960,636  
Filed: September 21, 2001  
Our Ref.: 4940/1P

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Dear Ms. Ruffin:

As I stated previously in my letter to you dated November 16, 2001 ("the 11/16 Letter"), I am a patent attorney representing the PanAmSat Corporation ("PanAmSat") in connection with the above identified patent application ("the Patent Application"). As shown above, the Patent Application was filed with the United States Patent and Trademark Office ("the PTO") on September 21, 2001 and assigned serial no. 09/960,636.

The United States Patent laws require that a patent application be filed in the name of the actual inventors for the application. Because you have been named as an inventor for the Patent Application, I have tried to contact you using the following mailing address, telephone, and e-mail address, in order to provide you with information and to discuss the Patent Application:

Ms. Laura Ruffin  
December 14, 2001  
Page 2

Laura Ruffin  
400 Sothel Street West  
Kill Devil Hills, NC 27948  
(252) 449-4122  
laura@outer-banks.com

In the 11/16 Letter, which I sent to the address above via first class mail and certified mail return receipt requested, I provided you with a copy of the filed Patent Application, asked you review it, and if the Patent Application were satisfactory, I requested that you sign a declaration in which you (1) acknowledged that you are a joint inventor of the subject matter claimed in the Patent Application, (2) confirmed your personal information, i.e., name, residence, and country of citizenship, (3) acknowledged that you reviewed and understood the contents of the Patent Application, including the claims, (4) and acknowledged your duty of disclosure regarding information material to the patentability of the subject matter claimed in the Patent Application. I also gave you my contact information and asked you to contact me if you had any comments or questions regarding the patent application or any issues related to it.

I received the certified mail return receipt for the 11/16 Letter indicating that the letter was picked-up. The return receipt shows that you signed for the 11/16 Letter on November 27, 2001.

In addition to the 11/16 Letter, I have made other attempts to contact you to discuss the Patent Application. On November 30, 2001, I sent an e-mail message to the e-mail address above stating that you were named as an inventor for the Patent Application and requesting that you contact me so that we could discuss the Patent Application. On December 12, 2001, I attempted to contact you by calling the telephone number above at approximately 11:40AM EST and again at approximately 7:00PM EST. Both times there was no answer. I left a message on the answering machine stating that I was trying to reach Laura Ruffin. I then stated my name, that I was an attorney representing PanAmSat Corporation in connection with a patent application, and that I wanted to speak with Laura Ruffin regarding this patent application since she had been named as an inventor. I stated that I wanted to speak with her regarding the same matter discussed in my letter to her dated November 16, 2001. I then left my telephone number (212-895-2006) and asked that Laura Ruffin call me back.

To date, I have received no response from you to the 11/16 Letter, the November 30, 2001 e-mail or the December 12, 2001 telephone message. I request again that you contact

Ms. Laura Ruffin  
December 14, 2001  
Page 3

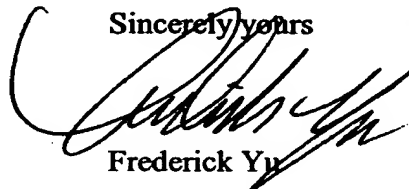
me using the information below, so that I may discuss the Patent Application with you:

Frederick Yu  
Brown Raysman Millstein Felder & Steiner LLP  
900 Third Avenue  
New York, New York 10022  
Direct Dial: (212) 895-2006  
Main No. (212) 895-2000  
Fax: (212) 895-2900  
e-mail: [fyu@brownraysman.com](mailto:fyu@brownraysman.com)

If I do not hear from you by **December 19, 2001**, I will assume that you received the 11/16 Letter, the November 30, 2001 e-mail message, the December 12, 2001 telephone message, and this letter but are refusing to join in the Patent Application. I will then proceed with prosecuting the Patent Application at the PTO without your cooperation.

I hope to hear from you soon.

Sincerely yours

A handwritten signature in black ink, appearing to read 'Frederick Yu', is written over the typed name.

Frederick Yu

7099 3400 0009 0975 2062

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Total Postage & Fees	\$



Name (Please Print Clearly) (to be completed by mailer)

LAURA RUFFIN

Street, Apt. No., or PO Box No.

400 SOTHEL STREET WEST

City, State, ZIP+4

KILL DEVIL HILLS, NC 27948

**BROWN RAYSMAN**

**BROWN RAYSMAN MILLSTEIN FELDER & STEINER<sup>LLP</sup>**

Commissioner for Patents  
Washington, DC 20231

BOX

*Missy Paut*

900 THIRD AVENUE NEW YORK NY 10022 T 212-895-2000 F 212-895-2900 brownrayzman.com

